

IN THE CLAIMS:

Please amend claims 2, 4, 7-9, 11, 16-19, and 21, cancel claims 1, 10, and 23 without disclaimer or prejudice, and add new claim 27 as follows.

1. (Cancelled)

2. (Currently Amended) A method ~~as claimed in claim 1, further~~ comprising:

Waiting, by a first layer charging function, a predetermined time for the a first piece of information indicating that a first layer charging data are attended to by a second layer charging function, the first piece of information not being part of the first layer charging data

transmitting, in response to receiving the first piece of information during the predetermined time, to a network node collecting first layer charging data on the first layer information in a charging instruction indicating that charging data are not transmitted to the first layer charging function; and

if the first piece of information is not received during the predetermined time, transmitting, to the network node collecting first layer charging data, information in a charging instruction indicating that charging data are transmitted to the first layer charging function,

wherein the first layer and the second layer are usable for transmitting a service in a telecommunication system.

3. (Cancelled)

4. (Currently Amended) ~~A method of controlling charging for a service in a telecommunication system comprising at least a first layer and a second layer, both of which are usable for transmitting a service, a first layer charging function, a second layer charging function and at least one network node collecting charging data on the first layer, the method comprising:~~

~~transmitting from a first layer charging function information to the a network node collecting charging data on a first layer in a first charging instruction, the information indicating that charging data are transmitted to the first layer charging function;~~

~~receiving in the first layer charging function charging data from the network node collecting charging data on the first layer;~~

~~receiving in the first layer charging function a first piece of information indicating that the first layer charging data are attended to by the a second layer charging function, the first piece of information not being part of the first layer charging data; and~~

~~ignoring, in response to the first piece of information, in the first layer charging function at least partly the charging data coming from network node collecting charging data on the first layer,~~

~~wherein the first layer and the second layer are usable for transmitting a service in a telecommunication system.~~

5-6. (Cancelled)

7. (Currently Amended) A method as claimed in claim ~~1~~ 2, wherein the method is used for online charging.

8. (Currently Amended) A method as claimed in claim ~~1~~ 2, wherein the first layer is a bearer layer and the second layer is an application layer.

9. (Currently Amended) A method as claimed in claim ~~1~~ 2, wherein the first layer is an application layer and the second layer is a bearer layer.

10. (Cancelled)

11. (Currently Amended) A telecommunication system ~~as claimed in claim 10~~,
comprising:

a first layer and a second layer, both of which are configured to transmit a service;
at least one network node configured to collect charging data on the first layer; and
a billing domain comprising at least a first layer charging function configured to
control charging on the first layer and a second layer charging function configured to
control charging on the second layer; the billing domain being configured to transmit, to

the first layer charging function, a first piece of information indicating that the first layer charging data are attended to by the second layer charging function in response to the first layer charging data being attended to by the second layer charging function, the first piece of information not being part of the first layer charging data; wherein

the first layer charging function is configured to wait a predetermined time for the first piece of information and, in response to receiving the first piece of information during the predetermined time, to transmit, to the network node, information in a first charging instruction indicating that the charging data are not transmitted to the first layer charging function; and, in response to not receiving the first piece of information during the predetermined time, to transmit, to the network node, information in a second charging instruction indicating that the charging data are transmitted to the first layer charging function; and

the network node is configured not to transmit charging data to the first layer charging function in response to the first charging instruction; and the network node is configured to transmit charging data to the first layer charging function in response to the second charging instruction.

12-15. (Cancelled)

16. (Currently Amended) A telecommunication system ~~as claimed in claim 10,~~
wherein comprising:

a first layer and a second layer, both of which are configured to transmit a service;
at least one network node configured to collect charging data on the first layer; and
a billing domain comprising at least a first layer charging function configured to
control charging on the first layer and a second layer charging function configured to
control charging on the second layer; the billing domain ~~is being~~ configured to transmit,
to the first layer charging function, as a first piece of information, information indicating
whether or not the first layer charging data are attended to by the second layer charging
function in response to the second layer charging function having received a request
associated with charging control, the first piece of information not being part of the first
layer charging data; and wherein

the first layer charging function is configured to receive the information, to check
the information and to interpret it as the first piece of information only if the information
indicates that the first layer charging data are attended to by the second layer charging
function, and to transmit, in response to the information being the first piece of
information, to the network node, information in a first charging instruction indicating
that the charging data are not transmitted to the first layer charging function; and

the network node is configured not to transmit charging data to the first layer
charging function in response to the first charging instruction.

17. (Currently Amended) A telecommunication system as claimed in claim-10 11, wherein the second layer charging function is configured to send the first piece of information.

18. (Currently Amended) A telecommunication system as claimed in claim-10 11, wherein the billing domain further comprises a correlation function which is configured to send the first piece of information.

19. (Currently Amended) A network node ~~in a telecommunication system comprising at least a first layer and a second layer, both of which are usable for transmitting a service, the network node comprising at least:~~

~~control means for controlling first layer charging; and~~

~~reception means for receiving unit configured to receive a first piece of information indicating that first layer charging data are attended to by a second layer, the first piece of information not being part of the first layer charging data; and wherein~~

~~control unit configured to control first layer charging, the control means are arranged to be responsive to the reception means-unit and to wait a predetermined time for a first piece of information to transmit, in response to receiving the first piece of information during a predetermined time, to transmit, to a network node collecting charging data in the first layer, in a first charging instruction, information indicating that the charging data are not transmitted to the first layer charging function, and to transmit,~~

in response not to receiving the first piece of information during the predetermined time,
to the network node collecting charging data in the first layer, in a second charging
instruction, information indicating that the charging data are transmitted to the first layer
charging function,

wherein the first layer and the second layer are usable for transmitting a service in
a telecommunication system.

20. (Cancelled)

21. (Currently Amended) A network node ~~in a telecommunication system~~
~~comprising at least a first layer and a second layer, both of which are usable for~~
~~transmitting a service, the network node comprising at least:~~

a first layer charging function attending first layer charging data;

~~control means for controlling~~ unit configured to control first layer charging and, in
response to a request associated with controlling of the first layer charging, ~~for~~
~~transmitting to transmit~~ a first charging instruction to a network node collecting charging
data in the first layer, the first charging instruction indicating that the charging data are
transmitted to the first layer charging function; and

~~reception means for receiving~~ unit configured to receive first layer charging data
and a first piece of information indicating that the first layer charging data are attended to

by the ~~a~~ second layer, the first piece of information not being part of the first layer charging data; wherein

~~the control means are arranged~~ unit is configured to be responsive to the reception ~~means~~ unit and to give an instruction, in response to the reception of the first piece of information, to ~~a~~ the first layer charging ~~means~~ function to ignore at least partly the charging data received from the network node collecting the charging data, and to transmit a second charging instruction to the network node collecting charging data in the first layer, the second instruction indicating that the charging data are transmitted to the second layer charging function;

the first layer charging function is configured to ignore, in response to the first piece of information, at least partly the charging data coming from network node collecting charging data on the first layer; and

the first layer and the second layer are usable for transmitting a service in a telecommunication system.

22-23. (Cancelled)

24. (Previously Presented) A method as claimed in claim 4, wherein the method is used for online charging.

25. (Previously Presented) A method as claimed in claim 4, wherein the first layer is a bearer layer and the second layer is an application layer.

26. (Previously Presented) A method as claimed in claim 4, wherein the first layer is an application layer and the second layer is a bearer layer.

27. (New) A network node, comprising:

a first layer charging function configured to control charging on a first layer, to transmit to a network node collecting charging data on the first layer a first charging instruction indicating that the charging data are transmitted to the first layer charging function, to receive charging data from the network node, to receive from a billing domain information indicating whether or not the first layer charging data are attended to by a second layer charging function, to check the information and to interpret it as a first piece of information only if the information indicates that the first layer charging data are attended to by the second layer charging function, and to transmit, in response to the information being the first piece of information, to the network node collecting charging data on the first layer, information in a second charging instruction indicating that the charging data are not transmitted to the first layer charging function.